

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

Western District of New York

Case No.

23 CV 414-
(to be filled in by the Clerk's Office) LJV

RAYMOND PRINCE

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

REINHART (DEPT SPT PROGRAM)

PAUL PICCOLO

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

JURY TRIAL: Yes ___ No ☒

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

(Rev. 01/21) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

RAYMOND PRINCE

All other names by which
you have been known:

ID Number

Current Institution

Address

10-A-4843

ELMIRA CORRECTIONAL FACILITY - P.O. Box 500

ELMIRA

N.Y.

14902

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

PAUL PICCOLO

Job or Title (*if known*)

SUPERINTENDANT

Shield Number

Employer

NEW YORK STATE DEPARTMENT OF CORRECTIONS

Address

P.O. Box 2000

PINE CITY

N.Y.

14871

City

State

Zip Code

☒ Individual capacity☒ Official capacity**Defendant No. 2**

Name

REINHART

Job or Title (*if known*)

DEPUTY SUPERINTENDANT OF PROGRAMS

Shield Number

Employer

NEW YORK STATE DEPARTMENT OF CORRECTIONS

Address

ELMIRA

N.Y.

14902

State

Zip Code

☒ Individual capacity☒ Official capacity

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Defendant No. 3

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

EQUAL PROTECTION OF THE LAW,
RIGHT TO DUE PROCESS, VIOLATION OF INTERSTATE AGREEMENT ON DETAINER,
RIGHT TO SPEEDY TRIAL, RIGHT TO ACCESS THE COURTS.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

SUPERINTENDENT PICCOLI REFUSED TO MAIL PLAINTIFFS REQUEST FOR FINAL DISPOSITION TO SOUTH CAROLINA, DESPITE PLAINTIFF HAVING A DETAINER AND WARRANT ON HIS INSTITUTIONAL FILE FROM THE NORTH CHARLESTON POLICE DEPARTMENT. DATED 12-18-2019

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

INSIDE A PRISON

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

SOUTHPORT CORRECTIONAL FACILITY ON OR ABOUT SEPTEMBER 2021

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- C. What date and approximate time did the events giving rise to your claim(s) occur?

8-30-21

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

THEIR HAS BEEN LISTED A DETAINER ON PLAINTIFF'S INSTITUTIONAL
FILED DATED 12-18-2021. PLAINTIFF WROTE TO SUPERINTENDANT
PICCOLO REQUESTING FINAL DISPOSITION OF THE UNDERLYING
CHARGES. PLAINTIFF WAS TOLD NO WARRANT OR DETAINER EXISTED.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

PLAINTIFF IS REQUESTING TWO MILLION DOLLARS IN PUNITIVE
DAMAGES FOR VIOLATION OF 6 AMENDMENT RIGHTS, 14 AMENDMENT
RIGHTS, I.A.D. RIGHTS AND ACCESS TO THE COURT RIGHTS.

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VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

SOUTHPORT CORRECTIONAL FACILITY

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

AT SOUTHPORT CORRECTIONAL FACILITY

2. What did you claim in your grievance?

THAT THE DEFENDANT (PICCOLI) REFUSED TO FORWARD PLAINTIFFS REQUEST FOR FINAL DISPOSITION TO SOUTH CAROLINA WHO PLACED A DETAINER AND WARRANT AGAINST PLAINTIFF

3. What was the result, if any?

GRIEVANCE WAS DENIED.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

PLAINTIFF APPEAL ALL THE WAY TO THE CENTRAL OFFICE REVIEW COMMITTEE. CORC DENIED GRIEVANCE ON 11/18/21

GRIEVANCE NUMBER SPT-0272-21

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☐ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

DISMISSED WITHOUT PREJUDICE (NO. 11 CIV. 5317 (JPD)).

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

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IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5-1-23

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Raymond Prince Raymond Prince
Raymond Prince
10-A-4843
P.O. Box 500
Elmira N.Y. 14902
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

42 - Denied detention
disposition

00272

TO: I.G.R.C. SOUTHPORT
 RAYMOND PRINCE 10-A-4843 (C-6-5)

9-29-21

RECEIVED

OCT - 1 2021

SOUTHPORT
GRIEVANCE

TO: COMMISSIONER'S OFFICE

ON 8-31-21 I WROTE TO THE SUPERINTENDENTS OFFICE REQUESTING
 FINAL DISPOSITION OF A SOUTH CAROLINA DETAINER UNDER C.P.L. 580.20.
 I AGAIN WROTE SUPERINTENDENT PICLOD ON 9-23-21 MAKING THE
 SAME REQUEST FOR SPEEDY TRIAL OF A SOUTH CAROLINA DETAINER
 WHICH IS LISTED IN THIS INCARCERATED INDIVIDUAL'S SECURITY FILE AS A SECURING ORDER.

I RECEIVED CORRESPONDENCE ON 9-28-21 FROM
 C. WLOJNAREK (IRC II) DENY MY REQUEST FOR FINAL DISPOSITION.
 THIS IS A DENIAL OF MY SPEEDY TRIAL RIGHTS UNDER C.P.L. 580.20
 ARTICLE III.

I.G.R.C. IS NOT ACKNOWLEDGING RECEIPT OF THE GRIEVANCES
 AT THIS FACILITY AND WHEN YOU TRY TO SPEAK TO THEM ON ROUNDS
 THEY BLOW YOU OFF. I HAVE SUBMITTED THREE GRIEVANCES IN
 THIS MATTER NOT ONE OF MY GRIEVANCES HAVE BEEN ACKNOWLEDGED.

I AM NOW SENDING A COPY OF MY GRIEVANCE TO THE
 COMMISSIONER'S OFFICE TO SEEK REDRESS IN THIS MATTER.

I AM BEING DENIED MY RIGHT TO SPEEDY TRIAL AT
 THIS FACILITY AS WELL AS MY RIGHT TO FILE A GRIEVANCE


O.C. Commissioner

RAYMOND PRINCE

C.C. I.G.R.C.

C.C. INCARCERATED INDIVIDUAL

RAYMOND PRINCE

 NEW YORK STATE Corrections and Community Supervision KATHY HOCHUL Governor ANTHONY J. ANNUCCI Acting Commissioner	Grievance Number SPT-0272-21	Desig./Code I/42	Date Filed 10/01/21
	Associated Cases		Hearing Date 11/18/21
	Facility Southport Correctional Facility		
INCARCERATED GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE		Title of Grievance Denied Copy Of Detainer Disposition From Other State	

GRIEVANT'S APPEAL OF NON-GRIEVABLE ISSUE UNANIMOUSLY CLOSED

Upon a full hearing of the facts and circumstances presented in the instant case, the grievant's appeal is hereby closed.

CORC notes that Directive #4040, § 701.3 (e) states, in part, that "An individual decision or disposition of any current or subsequent program or procedure having a written appeal mechanism which extends review to outside the facility shall be considered non-grievable."

CORC notes that the grievant is seeking a decision or an appeal of a decision otherwise attainable through the established procedures for Freedom of Information Law (FOIL) requests, and therefore is non-grievable. The grievant is advised to utilize the applicable procedures outlined in Directive #2010.

Accordingly, no further action by CORC will be taken and the matter is now closed.

SMM/tab



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMO

DATE: September 28, 2021

TO: PRINCE, Raymond 10A4843 C-6-5

FROM: C. Wojnarek, IRC II

RE: RECENT CORRESPONDENCE ON DETAINER AGREEMENT

We cannot comply with your request for disposition on your South Carolina case. We do not have an arrest or bench warrant on file from South Carolina. In order for CPL 580.20 to be in effect, we must have an original or certified copy of a warrant sent directly to us from the State of North Carolina. You must contact them directly to request a disposition of this case, however, we cannot do anything more at this point. Per Central Office Extradition Unit and in accordance with NY Criminal Procedure Law 570.44, the Governor's warrant will not be executed until your release from NYSDOCCS (earliest release date 3/26/23).

This was already previously answered for you at Attica Correctional Facility and Elmira Correctional Facility.

cc: File
DSP Reinhart
Supt. Piccolo



Corrections and Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

North Charleston PD
2500 City Hall Lane
North Charleston, SC 29406

Date: 12/6/19
Re: Prince, Raymond
DIN#: 10A4843
NYSID #: 07513130L
DOB: 12/12/1972
SEX: Male
FBI#: 7986NA7

Dear Sir or Madam:

The above-mentioned subject is currently incarcerated at this facility. NYS RAP sheet reflects an open Warrant for the following charge(s):

<u>Warrant Date</u>	<u>Arrest Charges</u>	<u>Arresting Agency</u>	<u>Warrant #</u>
12/2/2008	Homicide	North Charleston PD	W595582409

If this warrant is no longer active please notify the Guidance and Community Supervision Office at this facility. Please also be advised this information will be utilized for the Board of Parole and early release program consideration i.e. Temporary Release, Merit and/or Presumptive Release.
Thank you for your assistance in this matter.

Sincerely,
E. Bell
Superintendent

K. Kasper, ORC
K. Kasper, ORC

NOTE: For Temporary Release purposes, a failure to respond after (30) days will be construed as an indication that this charge has been dismissed.

cc: Parole Folder
Guidance Folder / Temporary Release

City of North Charleston, SC

R. KEITH SUMMEY, MAYOR

POLICE DEPARTMENT REGGIE L. BURGESS, CHIEF OF POLICE

DETAINER

New York State Corrections and Community Supervision attn. records
Via e-mail kyle.kasper@DOCCS.NY.GOV

Please use this as a detainer to place a hold on the following subject:

Name: Prince, Raymond

Inmate# DIN# 10A4843

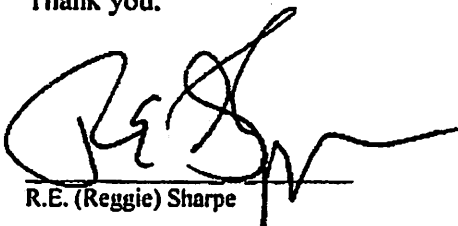
D.O.B. 12-12-1972 SS# 249-25-4561 Race: B Sex: M

Warrant (s) number # K-352544 *Murder*.

Notes: Place a "hold" for our agency. We will extradite from your location. Warrant copy attached.

Please do not release this person without contacting the North Charleston Police Department at (843) 740-2804 or (843) 554-5700

Thank you.



R.E. (Reggie) Sharpe

12-18-2019
Date

Warrant Unit 843-740-2804

ARREST WARRANT 01112**K- 352544 0999**

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality ofCHARLESTON

THE STATE

against

RAYMOND PRINCEAddress: 5219 APT C APRIL AVENORTH CHARLESTON, SC 29406Phone: SS 849-23-4561Sex: Male Height: 5'06 Weight: 195DL State: 12-12-72 DL #: Agency ORI#Prosecuting Agency: NCPDProsecuting Officer: KRAMITZOffense: MURDER Offense Code: 16-3-10Code/Ordinance Sec: 16-3-10The Warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality ofThe accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge

(I.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA
☐ County/ ☐ Municipality ofCHARLESTON

AFFIDAVIT

DET. KRAMITZ

who

Personally appeared before me the affiant

RAYMOND PRINCE

being duly sworn deposes and says that defendant

RAYMOND PRINCE

did within this county and state on

11-17-08

State of South Carolina (or ordinance of

CHARLESTON

in the following particulars:

MURDER

DESCRIPTION OF OFFENSE:

16-3-10

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

7-31-12
NCIC 12/21/08
OPR 868
OPR 868
NCIC #6162588572

Signature of Affiant

STATE OF SOUTH CAROLINA

☐ County/ ☐ Municipality ofCHARLESTONAffiant's Address: 4001 LA CROSS RDNORTH CHARLESTON, SC 29406Affiant's Telephone: 843-354-5700

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

If appearing from the above affidavit that there are reasonable grounds to believe that

on 11-17-08 defendant RAYMOND PRINCE

did violate the criminal laws of the State of South Carolina (or ordinance of

☐ County/ ☐ Municipality of CHARLESTON as set forth below:CHARLESTON**MURDER**

Having found probable cause and the above defendant having sworn before me, you are empowered and directed to arrest the defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on December 2, 2008December 2, 2008Judge's Address: 3870 LEBDS AVENUE, SUITE 106N. CHARLESTON, SC 29405

Signature of Issuing Judge

Judge's Telephone: 843-745-9622Judge Code: 7004/CAFIssuing Court: ☒ Municipal ☐ Circuit

ORIGINAL

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Raymond Prince (10-A-4843)

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

Cleming

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

Paul Piccolo

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

UNKNOWN

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTIES	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability			<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 480 Consumer Credit (15 USC 1631 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
					<input type="checkbox"/> 890 Other Statutory Actions
					<input type="checkbox"/> 891 Agricultural Acts
					<input type="checkbox"/> 893 Environmental Matters
					<input type="checkbox"/> 895 Freedom of Information Act
					<input type="checkbox"/> 896 Arbitration
					<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
					<input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Six amendment violation, due process, equal protection, agreement on detainees

Brief description of cause:

SUPERINTENDENT REFUSED TO FORWARD PLAINTIFFS REQUEST FOR FINAL DISPOSITION

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 2,000,000

CHECK YES only if demanded in complaint
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

10-A
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ROCHESTER, N.Y. 14614-1387